

**AN ORDINANCE  
BY CITY UTILITIES COMMITTEE**

**AN ORDINANCE TO CORRECT ORDINANCE NUMBER 07-O-1075 ADOPTED BY THE ATLANTA CITY COUNCIL ON JUNE 18, 2007, AND APPROVED BY THE MAYOR ON JUNE 26, 2007; AND FOR OTHER PURPOSES.**

**WHEREAS**, Ordinance 07-O-1075 abandoning a portion of Bolton Place N.W., and a portion of Bolton Drive N.W., was adopted by the Atlanta City Council on June 18, 2007, and approved by the Mayor on June 26, 2007; and

**WHEREAS**, Ordinance 07-O-1075 failed to include a donation of land made to the City of Atlanta ("City") by McConnell Law Firm ("McConnell"), the entity which filed a formal petition with the City to abandon the above-mentioned properties; and

**WHEREAS**, McConnell agreed to donate land described in Exhibits "B" and "C" (attached hereto) to the City to be used as a turnaround for the abandoned street; and

**WHEREAS**, the City desires to correct Ordinance 07-O-1075 to include the donation of land described in Exhibits "B" and "C" by McConnell Law Firm to the City.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows:**

**SECTION 1:** That Section 9 of Ordinance 07-O-1075 is hereby corrected to read as follows, and SECTION 10 is hereby added to read as follows:

SECTION 9: That in consideration of the City abandoning portions of Bolton Place N.W. and Bolton Drive N.W., McConnell Law Firm has agreed to donate land described on the attached Exhibits "B" and "C", to be used as a turnaround for the abandoned street.

SECTION 10: That all Ordinances and parts of Ordinances in conflict herewith are hereby waived to the extent of the conflict.

**SECTION 2:** That all Ordinances and parts of Ordinances in conflict herewith are hereby waived to the extent of the conflict.

Exhibit 'B'

LEGAL DESCRIPTION

TRACT SIX

**ALL THAT TRACT OR PARCEL** of land lying and being in Land Lot 221 of the 17<sup>th</sup> District, Fulton County, Georgia, being more particularly described as follows:

**TO FIND THE POINT OF BEGINNING**, commence at the point of intersection of the existing northwesterly right of way line of Bolton Place (50' right of way), and the existing northerly right of way line of Marietta Boulevard (right of way width varies); thence along the northwesterly right of way line of Bolton Place along a curve to the left having an arc length of 219.79 feet, a radius of 2398.77 feet, a chord bearing of North 38 degrees 00 minutes 28 seconds East and a chord distance of 219.72 feet to the point of intersection of the northwesterly right of way line of Bolton Place and the southerly right of way line of Bolton Drive (50' right of way); thence along the southerly right of way line of Bolton Drive the following courses and distances: North 53 degrees 45 minutes 00 seconds West a distance of 165.43 feet to a point; along a curve to the left having an arc length of 42.49, a radius of 1491.45, a chord bearing of North 54 degrees 33 minutes 58 seconds West and a chord distance of 42.49 feet to a point and **THE POINT OF BEGINNING** of Tract Six.

**FROM THE POINT OF BEGINNING THUS ESTABLISHED**, thence leaving said southerly right of way line of Bolton Drive and proceed along a curve to the right having an arc length of 92.77 feet, a radius of 50.00 feet, a chord bearing of North 63 degrees 03 minutes 32 seconds West and a chord distance of 80.02 feet to a point; thence along a curve to the left having an arc length of 21.50 feet, a radius of 25.00 feet, a chord bearing of North 34 degrees 32 minutes 37 seconds West and a chord distance of 20.84 feet to a point located on the southerly right of way line of Bolton Drive; thence proceed along said southerly right of way line of Bolton Drive along a curve to the right having an arc length of 98.86 feet, a radius of 1491.45, a chord bearing of South 57 degrees 16 minutes 52 seconds East and a chord distance of 98.84 feet to a point and **THE POINT OF BEGINNING**: said property being shown as a 0.04 Acre (1,540 square feet), Tract of land on a survey titled Roadway Abandonment Plat for Bolton Place Apartments prepared by Registered Land Surveyors, Inc., certified by Claude S. Brown, Georgia Registered Land Surveyor No. 2420, dated August 5, 2005, and last revised January 16, 2007, which certain survey is incorporated herein by this reference and made a part hereof.

Exhibit 'C'

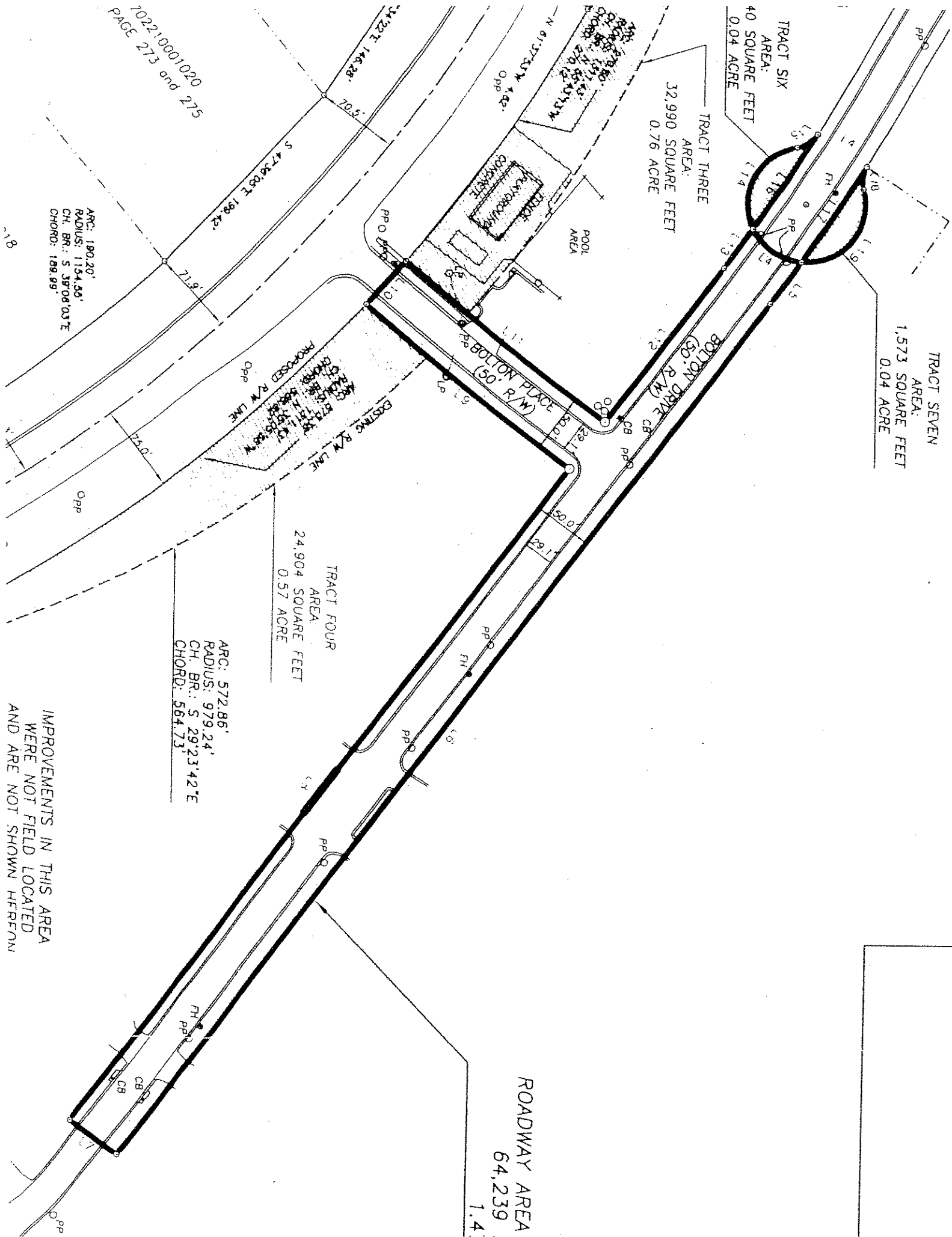
LEGAL DESCRIPTION

TRACT SEVEN

**ALL THAT TRACT OR PARCEL** of land lying and being in Land Lot 221 of the 17<sup>th</sup> District, Fulton County, Georgia, being more particularly described as follows:

**TO FIND THE POINT OF BEGINNING**, commence at the point of intersection of the existing northwesterly right of way line of Bolton Place (50' right of way), and the existing northerly right of way line of Marietta Boulevard (right of way width varies); thence along the northwesterly right of way line of Bolton Place along a curve to the left having an arc length of 219.79 feet, a radius of 2398.77 feet, a chord bearing of North 38 degrees 00 minutes 28 seconds East and a chord distance of 219.72 feet to the point of intersection of the northwesterly right of way line of Bolton Place and the southerly right of way line of Bolton Drive (50' right of way); thence along the southerly right of way line of Bolton Drive the following courses and distances: North 53 degrees 45 minutes 00 seconds West a distance of 165.43 feet to a point; along a curve to the left having an arc length of 42.49, a radius of 1491.45, a chord bearing of North 54 degrees 33 minutes 58 seconds West and a chord distance of 42.49 feet to a point; thence leaving said southerly right of way line of Bolton Drive and proceed along a curve to the left having an arc length of 52.37 feet, a radius of 50.00 feet, a chord bearing of North 33 degrees 47 minutes 10 seconds East and a chord distance of 50.01 feet to a point located on the northerly right of way line of Bolton Drive and **THE POINT OF BEGINNING** of Tract Seven.

**FROM THE POINT OF BEGINNING THUS ESTABLISHED**, thence proceed along said northerly right of way line of Bolton Drive along a curve to the left having an arc length of 99.57 feet, a radius of 1541.45 feet, a chord bearing of 57 degrees 15 minutes 35 seconds West and a chord distance of 99.55 feet to a point; thence leaving said northerly right of way line of Bolton Drive and proceed along a curve to the left having an arc length of 20.58 feet, a radius of 25.00 feet, a chord bearing of South 82 degrees 41 minutes 23 seconds East and a chord distance of 20.00 feet to a point; thence along a curve to the right having an arc length of 96.04 feet, a radius of 50.00 feet, a chord bearing of South 51 degrees 14 minutes 36 seconds East and a chord distance of 81.94 feet to a point and **THE POINT OF BEGINNING**: said property being shown as a 0.04 Acre (1,573 square feet), Tract of land on a survey titled Roadway Abandonment Plat for Bolton Place Apartments prepared by Registered Land Surveyors, Inc., certified by Claude S. Brown, Georgia Registered Land Surveyor No. 2420, dated August 5, 2005, and last revised January 16, 2007, which certain survey is incorporated herein by this reference and made a part hereof.



ARC: 190.20'  
RADIUS: 1154.55'  
CH. BR.: S 38°08'03"E  
CHORD: 188.89'

ARC: 572.86'  
RADIUS: 979.24'  
CH. BR.: S 29°23'42"E  
CHORD: 564.73'

IMPROVEMENTS IN THIS AREA  
WERE NOT FIELD LOCATED  
AND ARE NOT SHOWN HEREON

ROADWAY AREA  
64,239  
1.4

**Part II: Legislative White Paper:** (This portion of the Legislative Request Form will be shared with City Council members and staff)

**A. To be completed by Legislative Counsel:**

**Committee of Purview:** City Utilities Committee

**Caption:** AN ORDINANCE TO CORRECT ORDINANCE NUMBER 07-O-1075 ADOPTED BY THE ATLANTA CITY COUNCIL ON JUNE 18, 2007, AND APPROVED BY THE MAYOR ON JUNE 26, 2007; AND FOR OTHER PURPOSES.

**Council Meeting Date:** October 15, 2007

**Requesting Dept.:** Law Department

**B. To be completed by the department:**

**1. Please provide a summary of the purpose of this legislation (Justification Statement).**

The purpose of the legislation is to correct Ordinance 07-O-1075 to include a donation of land made to the City by McConnell Law Firm which filed a petition with the City to abandon a portion of Bolton Place N.W., and Bolton Drive N.W.

**2. Please provide background information regarding this legislation.**

Ordinance 07-O-1075 authorized the abandonment of portions of Bolton Place N.W. and Bolton Drive N.W. The applicant for the abandonment, McConnell Law Firm, donated a portion of land to the City to be used as a turnaround for the abandoned property. This donation of land was not included in 07-O-1075.

**3. If Applicable/Known:**

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):** N/A

(b) **Source Selection:** N/A

(c) **Bids/Proposals Due:** N/A

(d) **Invitations Issued:** N/A

- (e) Number of Bids: N/A
- (f) Proposals Received: N/A
- (g) Bidders/Proponents: N/A
- (h) Term of Contract: N/A
- 4. Fund Account Center: N/A
- 5. Source of Funds:
- 6. Fiscal Impact: N/A
- 7. Method of Cost Recovery: N/A

**This Legislative Request Form Was Prepared By:**

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: \_\_\_\_\_

Contact Number: \_\_\_\_\_

Originating Department: Department of Law

Committee(s) of Purview: City Utilities Committee

Chief of Staff Deadline: September 24, 2007

Anticipated Committee Meeting Date(s): October 9-10, 2007

Anticipated Full Council Date: October 15, 2007

Legislative Counsel's Signature: 

Commissioner Signature: 

Chief Procurement Officer Signature: \_\_\_\_\_

**CAPTION**

AN ORDINANCE TO CORRECT ORDINANCE NUMBER 07-O-1075 ADOPTED BY THE ATLANTA CITY COUNCIL ON JUNE 18, 2007, AND APPROVED BY THE MAYOR ON JUNE 26, 2007; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any): \$

Mayor's Staff Only

Received by CPO: \_\_\_\_\_ Received by LC from CPO: \_\_\_\_\_

(date)

(date)

Received by Mayor's Office: 9/25/07  Reviewed by: 

(date)

(date)

Submitted to Council: \_\_\_\_\_

(date)